IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.8235 OF 2005
IN
CRIMINAL APPEAL NO.1182 OF 2005

Jagan Ramchandra Narkhede ...Applicant

Vs.

The State of Maharashtra ...Respondent

Ms Bhavana Gaje for the Applicant.

Ms S.V.Gajare, A.P.P for the Respondent-State.

CORAM : A. S. OKA, J.
DATE : OCTOBER 12, 2006.

P.C.:

1. The Applicant is the original accused No.1. The Applicant has been acquitted for offence punishable under sections 489-A read with section 34 of the Indian Penal Code. The Applicant has been convicted for offence punishable under section 489-C read with section 34 of the Indian Penal Code. The substantive sentence of the Applicant is of five years. The Applicant has been directed to pay fine of Rs.5,000/- and in default in payment of fine, he was directed to suffer simple imprisonment for six months. There is no dispute about the fact that the Applicant has already undergone the sentence for two years and four months. The Appeal is not likely to be heard till the remaining period of sentence is over. There is nothing on record

to show criminal antecedents of the Applicant.

2. It is not clear whether fine amount is paid.

3. The Applicant is entitled to be enlarged on bail. However, the order will be given effect only after fine amount is paid by the Applicant.

4. Application is disposed of by passing following order:

(i) The Applicant shall be enlarged on bail in the sum of Rs.5,000/- with one or two local sureties in the like amount.

(ii) The bail is granted subject to condition that the Applicant will attend Hill Line Police Station, Ulhasnagar on every first Saturday of every calendar month till the disposal of the Appeal.

(iii) Order granting bail will be given effect only after fine amount is deposited by the Applicant.

JUDGE